

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE HERLEY INDUSTRIES INC.
SECURITIES LITIGATION

No. 06-CV-2596 (JRS)

DECLARATION OF IRA M. PRESS

Ira M. Press, declares under penalty of perjury pursuant to 28 U.S.C. § 1746, as follows:

1. I am a member of the law firm of Kirby McInerney LLP, counsel for lead plaintiff in the above-captioned action. I am a member in good standing of the Bar of the State of New York, and have permission to appear in this matter *pro hac vice* by Order of the Court dated August 21, 2006.

2. I make this declaration in support of Plaintiff's Motion *In Limine* to Preclude Defendants From Introducing Evidence or Taking Positions Contrary to Herley's Prior Guilty Plea. Submitted herewith are true and correct copies of the following:

- Exhibit 1: The Superseding Indictment filed against Lee Blatt and Herley Industries Inc.
- Exhibit 2: The Government's Sentencing Memorandum.
- Exhibit 3: Herley's Sentencing Memorandum.
- Exhibit 4: The May 5, 2008 Transcript of Herley Industries Inc.'s and Lee Blatt's guilty pleas.
- Exhibit 5: Herley's May 5, 2008 Report on Form 8-K annexing the Plea Agreement.
- Exhibit 6: Minutes of Herley's April 1, 2008 Meeting of the Board of Directors.
- Exhibit 7: Minutes of Herley's April 3, 2008 Meeting of a Special Committee.
- Exhibit 8: Selected pages from the May 13, 2009 deposition of Myron Levy.

- Exhibit 9: Selected pages from the April 22, 2009 deposition of Mitchell Tuckman.
- Exhibit 10: An October 16, 2001 Memorandum from Joe Gallagher to Mitchell Tuckman regarding power head element yields.
- Exhibit 11: Selected pages from the April 24, 2009 deposition of Joe Gallagher.
- Exhibit 12: A June 13, 2001 email from Joe Gallagher to Mitchell Tuckman regarding power head element yields.
- Exhibit 13: Selected pages from the May 27, 2009 deposition of Lee Blatt.

Dated: December 31, 2009
New York, New York

/s/ Ira M. Press
Ira M. Press, Esq.